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7 Attorney for Martin Isais-Martinez

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 MARTIN ISAIS-MARTINEZ,
15 Defendant.

Case No. 2: 16-cr-0313-APG-CWH

STIPULATION TO CONTINUE
SENTENCING HEARING
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
17 Acting United States Attorney, and Kilby C. Macfadden, Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
19 and Rebecca Levy, Assistant Federal Public Defender, counsel for Martin Isais-Martinez, that
20 the sentencing currently scheduled for Thursday, May 18, 2017 at 10:30 a.m., be vacated and
21 set to a date and time convenient to this Court, but no sooner than fourteen (14) days.

22 The Stipulation is entered into for the following reasons:

- 23 1. Undersigned defense counsel will be in trial preparations in another matter
24 scheduled to begin May 16, 2017.
25 2. The defendant is incarcerated and does not object to the continuance.
26 3. The parties agree to the continuance.

1 4. The additional time requested herein is not sought for purposes of delay.

2 5. Additionally, denial of this request for continuance could result in a miscarriage
3 of justice. The additional time requested by this Stipulation is excusable in computing the time
4 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
5 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
6 Section 3161(h)(7)(B)(i), (iv).

7 This is the first stipulation to continue sentencing filed herein.

8 DATED this 12th day of May, 2017.

9 RENE L. VALLADARES
10 Federal Public Defender

 STEVEN W. MYHRE,
 Acting United States Attorney

11 /s/ Rebecca Levy
12 By _____

 /s/ Kilby C. Macfadden
 By _____

13 REBECCA LEVY
 Assistant Federal Public Defender

 KILBY C. MACFADDEN
 Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 MARTIN ISAIS-MARTINEZ,

8 Defendant.

Case No. 216-cr-0313-APG-CWH

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

9
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, good cause appearing, and the best
12 interests of justice and judicial economy being served thereby:

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14 IT IS THEREFORE ORDERED that the sentencing hearing currently set for Thursday,
15 May 18, 2017 at 10:30 a.m. be vacated and continued to May 31, 2017 at 10:00 a.m., Ctrm 6C.

16 DATED this 15th day of May, 2017.

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18 _____
19 UNITED STATES DISTRICT JUDGE
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